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REMARKS

This response is intended as a full and complete response to the non-final Office Action mailed June 8, 2004. By this amendment, Applicants have amended claims 1-3, 26, 27, 41, 52, 58, 61, 67, 73 and 87 and canceled claims 15, 17, 25, 29-33, 42-49, 53-55, 62, 74, 79-86 and 90-93. It is respectfully submitted that no new matter has been added, and the claims are fully supported by the specification.

In view of both the amendments presented above and the following discussion, Applicants submit that none of the claims now pending in the application are anticipated or obvious under the respective provisions of 35 U.S.C. §102 and §103. Thus, Applicants believe that all of these claims are now in allowable form.

It is to be understood that the Applicants, by amending the claims, do not acquiesce to the Examiner's characterizations of the art of record or to Applicants' subject matter recited in the pending claims. Further, Applicants are not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant responsive amendments.

REJECTIONS

35 U.S.C. §102

The Examiner has rejected claims 1, 4-7, 14, 15, 17, 20-22, 26, 28, 29, 32-36, 51-54, 57 and 67-72 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 5,479,268 to Young (hereinafter "Young '268"). Applicants respectfully traverse the rejection.

Claim 1 has been amended as follows:

1. A system for suggesting programs, comprising;
a menu, wherein certain criteria are provided to assist a search of programs for suggestion;
a control, wherein desired search criteria can be selected;
a database of descriptions of a plurality of programs; and
a processor, wherein the processor performs the search of programs for selection by searching the database of program descriptions with the selected search criteria and other search criteria selected from a thesaurus in response to said selected search criteria, the processor generating a list of suggested

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programs for viewing.

The thesaurus searching function is not disclosed or suggested by the Young arrangement. Therefore, claim 1 as amended is patentable over the Young reference. Moreover, independent claims 67 and 87 have been amended to include relevant similar limitations. Therefore, independent claims 67 and 87 as amended are also patentable over the Young reference. In addition, independent claim 73 has been amended to include the limitations of claim 74. Since the Examiner has indicated that claim 74 contains allowable subject matter, it is submitted that claim 73 is now patentable. Finally, since all of the remaining claims depend, either directly or indirectly, from claims 1, 67, 74 or 87 and recite additional limitations therefrom, it is respectfully submitted that all of these dependent claims are also patentable.

The applicants disagree with a number of the characterizations of the prior art and Official Notice taken by the Examiner.

For example, and further with respect to claim 68, the Examiner contends that Young inherently makes use of a graphics decompressor, text generator and combiner, as Young discloses combined text/graphical displays (Figures 10, 13 and 14). The Applicants respectfully disagree. Whether or not Young discloses a combination of text or graphical imagery, there is no requirement to initially provide such text/graphical imagery in a compressed format. Therefore, there can be no inherent requirement that Young uses a graphics decompressor, for example. Since the use of a graphics decompressor is not necessary to practice the arrangement of Young, such graphics decompressor cannot be considered inherent to the teachings of the art.

35 U.S.C. §103

The Examiner has rejected claims 55, 58-60, 62, 68, and 70-72 under 35 U.S.C. §103(a) as being unpatentable over Young '268. The Examiner has further rejected Claims 16, 18-19 and 25 under 35 U.S.C. §103(a) as being unpatentable over Young '268 in view of U.S. Patent 4,992,972 to Brooks (hereinafter "Brooks"). Still further, the Examiner has rejected: claims 8, 9, 23, and 30 under 35 U.S.C. §103(a) as being unpatentable over Young '268 in view of U.S. Patent 5,483,278 to Strubbe (hereinafter

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"Strubbe"); claims 10, 12, and 31 over Young '268 in view of U.S. Patent 5,532,754 to Young (hereinafter "Young '754"); claim 11 under 35 U.S.C. §103(a) as being unpatentable over Young '268 in view of Young '754 in further view of U.S. Patent 4,706,121 to Young (hereinafter "Young '121"); claims 37-50 and 63-66 under 35 U.S.C. §103(a) as being unpatentable over Young '268 in view of U.S. Patent 4,602,279 to Freeman (hereinafter "Freeman"); claim 56 under 35 U.S.C. §103(a) as being unpatentable over Young '268 in view of U.S. Patent 5,550,863 to Yurt (hereinafter "Yurt"); claim 73 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 4,775,935 to Yourick (hereinafter "Yourick") in view of Young '268; and claims 77-93 under 35 U.S.C. §103(a) as being unpatentable over Yourick in view of Young '268 in further view of U.S. Patent 5,251,324 to McMullan (hereinafter "McMullan").

As previously noted, claim 1 has been amended as follows:

1. A system for suggesting programs, comprising:
 - a menu, wherein certain criteria are provided to assist a search of programs for suggestion;
 - a control, wherein desired search criteria can be selected;
 - a database of descriptions of a plurality of programs; and
 - a processor, wherein the processor performs the search of programs for selection by searching the database of program descriptions with the selected search criteria and other search criteria selected from a thesaurus in response to said selected search criteria, the processor generating a list of suggested programs for viewing.

The Thesaurus searching function as claimed is not disclosed or suggested by Young, and is not disclosed or suggested by Brooks.

With respect to the Brooks reference, the disclosed :ISCHSYN tag is adapted for use only within the limited context of providing a few synonyms for each of a few root word, where the root words are only relevant within the context of a "help" function. Moreover, the Brooks arrangement only contemplates the use of such synonyms to identify help function modules to be retrieve, not help function modules to be avoided (i.e., affirmatively excluded).

In contrast to Brooks (and any operable combination of the cited references including Brooks), the claimed invention uses a thesaurus structure (rather than

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individual root word tags identifying a few synonyms) to associate or exclude (not just associate) programming (not "help" modules) with a search request.

Therefore, claim 1 as amended is patentable over the references. Moreover, independent claims 67 and 87 have been amended to include relevant similar limitations. Therefore, independent claims 67 and 87 as amended are also patentable over the references. In addition, independent claim 73 has been amended to include the limitations of claim 74. Since the Examiner has indicated that claim 74 contains allowable subject matter, it is submitted that claim 73 is now patentable. Finally, since all of the remaining claims depend, either directly or indirectly, from claims 1, 67, 74 or 87 and recite additional limitations therefrom, it is respectfully submitted that all of these dependent claims are also patentable over the references.

The applicants continue to disagree with a number of the characterizations of the prior art and Official Notice taken by the Examiner.

ALLOWABLE SUBJECT MATTER

The applicants thank the Examiner for indicating that allowable subject matter is presented within the claims. However, in view of the above amendments and discussion, it is respectfully submitted that all of the claims now pending in the application are in condition for allowance.

CONCLUSION

Applicants believe all the claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the issuance of an adverse final action in any of the claims now pending in the

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application, it is requested that the Examiner telephone Eamon J. Wall, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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